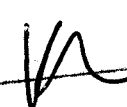


CLERK US DISTRICT COURT
NORTHERN DIST. OF TX
FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE Federal Northern DISTRICT OF TEXAS
Lubbock DIVISION

2019 MAY 29 AM 10:27
DEPUTY CLERK 

Ruben Carrillo #635597
Plaintiff's Name and ID Number

Rudd UNIT BROWNFIELD, TEXAS
Place of Confinement

5-19 CV 0098-C

CASE NO. _____

(Clerk will assign the number)

v.

Texas Board of Pardons and Paroles
Defendant's Name and Address

8610 Shoal Creek Blvd., Austin, Tx. 78757
Defendant's Name and Address

Defendant's Name and Address
(DO NOT USE "ET AL.")

INSTRUCTIONS - READ CAREFULLY

NOTICE:

Your complaint is subject to dismissal unless it conforms to these instructions and this form.

1. To start an action you must file an original and one copy of your complaint with the court. You should keep a copy of the complaint for your own records.
2. Your complaint must be legibly handwritten, in ink, or typewritten. You, the plaintiff, must sign and declare under penalty of perjury that the facts are correct. If you need additional space, **DO NOT USE THE REVERSE SIDE OR BACK SIDE OF ANY PAGE.** ATTACH AN ADDITIONAL BLANK PAGE AND WRITE ON IT.
3. You must file a separate complaint for each claim you have unless the various claims are all related to the same incident or issue or are all against the same defendant, Rule 18, Federal Rules of Civil Procedure. Make a short and plain statement of your claim, Rule 8, Federal Rules of Civil Procedure.
4. When these forms are completed, mail the original and one copy to the clerk of the United States district court for the appropriate district of Texas in the division where one or more named defendants are located, or where the incident giving rise to your claim for relief occurred. If you are confined in the Texas Department of Criminal Justice, Correctional Institutions Division (TDCJ-CID), the list labeled as "VENUE LIST" is posted in your unit law library. It is a list of the Texas prison units indicating the appropriate district court, the division and an address list of the divisional clerks.

FILING FEE AND *IN FORMA PAUPERIS* (IFP)

1. In order for your complaint to be filed, it must be accompanied by the statutory filing fee of \$350.00 plus an administrative fee of \$50.00 for a total fee of **\$400.00**.
2. If you do not have the necessary funds to pay the fee in full at this time, you may request permission to proceed *in forma pauperis*. In this event you must complete the application to proceed *in forma pauperis*, setting forth information to establish your inability to prepay the fees and costs or give security therefor. You must also include a current six-month history of your inmate trust account. If you are an inmate in TDCJ-CID, you can acquire the application to proceed *in forma pauperis* and the certificate of inmate trust account, also known as *in forma pauperis* data sheet, from the law library at your prison unit.
3. The Prison Litigation Reform Act of 1995 (PLRA) provides "... if a prisoner brings a civil action or files an appeal *in forma pauperis*, the prisoner shall be required to pay the full amount of a filing fee." See 28 U.S.C. § 1915. Thus, the court is required to assess and, when funds exist, collect, the entire filing fee or an initial partial filing fee and monthly installments until the entire amount of the filing fee has been paid by the prisoner. If you submit the application to proceed *in forma pauperis*, the court will apply 28 U.S.C. § 1915 and, if appropriate, assess and collect the entire filing fee or an initial partial filing fee, then monthly installments from your inmate trust account, until the entire \$350.00 statutory filing fee has been paid. (The \$50.00 administrative fee does not apply to cases proceeding *in forma pauperis*.)
4. If you intend to seek *in forma pauperis* status, do not send your complaint without an application to proceed *in forma pauperis* and the certificate of inmate trust account. Complete all essential paperwork before submitting it to the court.

CHANGE OF ADDRESS

It is your responsibility to inform the court of any change of address and its effective date. Such notice should be marked "**NOTICE TO THE COURT OF CHANGE OF ADDRESS**" and shall not include any motion for any other relief. Failure to file a NOTICE TO THE COURT OF CHANGE OF ADDRESS may result in the dismissal of your complaint pursuant to Rule 41(b), Federal Rules of Civil Procedure.

I. PREVIOUS LAWSUITS:

- A. Have you filed *any* other lawsuit in state or federal court relating to your imprisonment? YES ☒ NO ☐
- B. If your answer to "A" is "yes," describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, giving the same information.)

1. Approximate date of filing lawsuit: 5/22/19
2. Parties to previous lawsuit:
Plaintiff(s) Ruben Carrillo #635597
Defendant(s) Texas Board of Pardons and Parole
3. Court: (If federal, name the district; if state, name the county.) Federal District, Northern
4. Cause number: _____
5. Name of judge to whom case was assigned: _____
6. Disposition: (Was the case dismissed, appealed, still pending?) _____
7. Approximate date of disposition: _____

II. PLACE OF PRESENT CONFINEMENT: Rudd Transfer Facility

III. EXHAUSTION OF GRIEVANCE PROCEDURES:

Have you exhausted all steps of the institutional grievance procedure? ☒ YES ☐ NO

Attach a copy of your final step of the grievance procedure with the response supplied by the institution.

IV. PARTIES TO THIS SUIT:

A. Name and address of plaintiff: Ruben Carrillo #635597

Rudd Transfer Facility,
2004 Lamesa, Hwy, Brownfield, Tx. 79316

B. Full name of each defendant, his official position, his place of employment, and his full mailing address.

Defendant #1: ^{RC} K Catherine Marrero, Parole Officer, Texas Board
of Pardons and Paroles, Austin, Tx.

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

Ms. Catherine Marrero, removed me from half-way & had me revoked

Defendant #2: Cora Young Brown, Parole officer, Sa #1 DPO,
San Antonio III District, 2902 NE Loop 410 San Antonio, TX. 78218

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

She recommended revocation.

Defendant #3: Texas Board of Pardons and Paroles
8610 Shoal Creek Blvd., Austin, Tx. 78757.

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

Holding past my discharge date

Defendant #4: _____

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

Defendant #5: _____

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

V. STATEMENT OF CLAIM:

State here in a short and plain statement the facts of your case, that is, what happened, where did it happen, when did it happen, and who was involved. Describe how each defendant is involved. You need not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach extra pages if necessary, but remember the complaint must be stated briefly and concisely. IF YOU VIOLATE THIS RULE, THE COURT MAY STRIKE YOUR COMPLAINT.

The Texas Board of Pardons and Paroles are holding me past my discharge. Tested positive for K2 drugs. And was sanctioned to SAFF. This happened 11/8/18 in Austin, Tx. at Austin Transitional Ctr., Austin, Tx., 3154 Del Valle, Tx. Ph. # 512-386-5722. Person involved Catherine Marrero. The Parole Board has taken my street time & tacked at the end of ^{my} sentence, causing them to hold me past my discharge date. Holding me against my will, and as a hostage.

VI. RELIEF:

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

I would like the court to reprimand the Board for negligence toward ^{my} sentence. Recompense for duress, ^{MC} loss of time & mental anguish.

VII. GENERAL BACKGROUND INFORMATION:

A. State, in complete form, all names you have ever used or been known by including any and all aliases.

N/A

B. List all TDCJ-CID identification numbers you have ever been assigned and all other state or federal prison or FBI numbers ever assigned to you.

#1-TDCJ ID # ¹⁴³⁰ 304731, #2 ³⁴ 34, #3 ⁶³⁵⁵ 97

VIII. SANCTIONS:

A. Have you been sanctioned by any court as a result of any lawsuit you have filed? YES ☐ NO ☒

B. If your answer is "yes," give the following information for every lawsuit in which sanctions were imposed. (If more than one, use another piece of paper and answer the same questions.)

1. Court that imposed sanctions (if federal, give the district and division): _____

2. Case number: _____

3. Approximate date sanctions were imposed: _____

4. Have the sanctions been lifted or otherwise satisfied? YES ☐ NO ☐

C. Has any court ever warned or notified you that sanctions could be imposed? _____ YES _____ NO

D. If your answer is "yes," give the following information for every lawsuit in which a warning was issued.
(If more than one, use another piece of paper and answer the same questions.)

1. Court that issued warning (if federal, give the district and division): _____

2. Case number: _____

3. Approximate date warning was issued: _____

Executed on: _____

DATE

(Signature of Plaintiff)

PLAINTIFF'S DECLARATIONS

1. I declare under penalty of perjury all facts presented in this complaint and attachments thereto are true and correct.
2. I understand, if I am released or transferred, it is my responsibility to keep the court informed of my current mailing address and failure to do so may result in the dismissal of this lawsuit.
3. I understand I must exhaust all available administrative remedies prior to filing this lawsuit.
4. I understand I am prohibited from bringing an *in forma pauperis* lawsuit if I have brought three or more civil actions or appeals (from a judgment in a civil action) in a court of the United States while incarcerated or detained in any facility, which lawsuits were dismissed on the ground they were frivolous, malicious, or failed to state a claim upon which relief may be granted, unless I am under imminent danger of serious physical injury.
5. I understand even if I am allowed to proceed without prepayment of costs, I am responsible for the entire filing fee and costs assessed by the court, which shall be deducted in accordance with the law from my inmate trust account by my custodian until the filing fee is paid.

Signed this Wed. 22nd day of May, 20 19
(Day) (month) (year)

Ruben Camillo
(Signature of Plaintiff)

WARNING: Plaintiff is advised any false or deliberately misleading information provided in response to the above questions may result in the imposition of sanctions. The sanctions the court may impose include, but are not limited to, monetary sanctions and the dismissal of this action with prejudice.

Dear B. O. C. / Parole Board

5-21-19

On 4-4-19 2 yrs. 6 mths. 25 days Good time and on
4-5-19 2 yrs 6 mths. 26 days Good time, my
sentence falls under the 71st Legislation and once my
flat time and good time - work time combined total
my whole 30 year sentence You must release me.

On 4-5-19 I had 103 20 of my 30 year sentence
Complete a total of 31 years 20 days total on my
sentence with a Minium Expiration Date 10-14-2017.
I want to know why im still incarcerated in
T.D.C.S. I.D. When in 1 year 7 mths. past my short-way
date. It shown im getting good time therefore must
release me ASAP. The Parole Board is Violating
Legislation Law by holding me past 10-14-2017
and I will have a Lawyer file a suit against
The Parole Board and the State of Texas. Writing
to be released ASAP and I do have in my
possession 3 copies of my Time sheet.

Sincerely

Mr. Ruben Carrillo

TDCS # 635597 SAE.P.F. # 02189016

T. D. C. J. - INSTITUTIONAL DIVISION
DATE 04/04/19 RECORDS OFFICE TIME 11:13:30
TDCJID: 00635597 NAME: CARRILLO, RUBEN ALEXANDER UNIT
SENT. BEGIN DATE 10/26/1992 TDC RECEIVE DATE 02/26/1993
INMATE STATUS LINE CLASS I LAST PCR REQUEST 04/04/19

SENT. OF RECORD 00020 YRS 00 MOS 00 DAYS MAND SUPV PAROLE
FLAT TIME SERVED 00018 YRS 01 MOS 18 DAYS 090 % 090 %
GOOD TIME EARNED 00002 YRS 06 MOS 25 DAYS 012 % 012 %
WORK TIME EARNED 00000 YRS 04 MOS 11 DAYS 001 % 001 %
MAND SUPV TIME CREDITS 00021 YRS 00 MOS 24 DAYS 103 %
PAROLE TIME CREDITS 00021 YRS 00 MOS 24 DAYS 103 %
MINIMUM EXPIRATION DTE: 10/14/2017
MAXIMUM EXPIRATION DTE: 02/13/2021

JAIL GOOD TIME RECD YES
GOOD TIME LOST 00000 DAYS
PAROLE STATUS BPP DATE

NUMBER OF DETAINERS 00
WORK TIME LOST 00000 DAYS

TDC CALC DATE 05/24/2015

REQUEST
CONDUCT RECORD:

S.A.F.P.F. # 02189016

S.A.F.P.F. # 02189016
TDCJ # 635597

RP

T. D. C. J. - INSTITUTIONAL DIVISION
DATE 04/05/19 RECORDS OFFICE TIME 07:51:16
TDCJID: 02189016 NAME: CARRILLO, RUBEN ALEXANDER UNIT RUDD
SENT. BEGIN DATE 10/26/1992 TDC RECEIVE DATE 02/26/1993
INMATE STATUS LINE CLASS I LAST PCR REQUEST 04/05/19

SENT. OF RECORD	00020	YRS 00 MOS 00 DAYS	MAND SUPV PAROLE
FLAT TIME SERVED	00018	YRS 01 MOS 19 DAYS	090 % 090 %
GOOD TIME EARNED	00002	YRS 06 MOS 26 DAYS	012 % 012 %
WORK TIME EARNED	00000	YRS 04 MOS 11 DAYS	001 % 001 %
MAND SUPV TIME CREDITS	00021	YRS 00 MOS 26 DAYS	103 %
PAROLE TIME CREDITS	00021	YRS 00 MOS 26 DAYS	103 %

MINIMUM EXPIRATION DTE: 10/14/2017

MAXIMUM EXPIRATION DTE: 02/13/2021

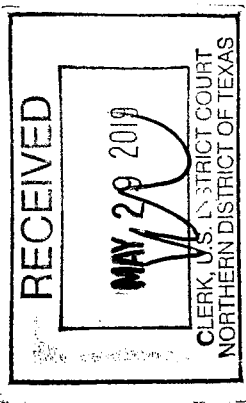
JAIL GOOD TIME RECD YES
GOOD TIME LOST 00000 DAYS
PAROLE STATUS BPP DATE

NUMBER OF DETAINERS 00
WORK TIME LOST 00000 DAYS

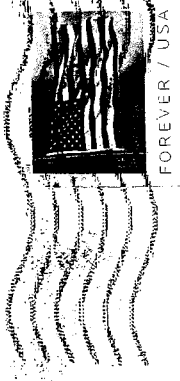
TDC CALC DATE 05/24/2015

REQUEST _____
CONDUCT RECORD:

Mr. Ruben Carrillo # 02189016
Rudd Unit
2004 LAMESA Hwy
Brownfield, Tx. 79316



LUBBOCK TX 79401
23 MAY 2019 PM 1:11



"Federal Court"
U.S. District Clerks Office
1205 Tx. Ave Room 209

Lubbock Tx 79401-4091

79401-402753